

### **REMARKS**

Claims 1, 3-22 and 25-36 are presently pending; claim 2 has been cancelled. Claims 27-36 are withdrawn.

The rejection of claims 1, 3, 4, 8, 9, 13, 16-18, 21 and 22 under 35 U.S.C. § 102(e) over Williams et al. (US 2004/00636000) is now moot by the present amendment, which adds the pH limitation of 4-7 from original claim 2. Accordingly, claim 2 has been cancelled. The Williams published application requires a composition at a pH “sufficiently greater than 7”. See page 2 [0017].

The rejection of claims 1-22, 25 and 26 as allegedly unpatentable over Chang et al. (US 2003/0060395) is respectfully traversed. Chang does not teach nor suggest one of the very important features of the present invention as claimed, the presence of 1 to 8 weight percent of a peroxy compound. The Examiner states that: “...Chang does not teach the percentages of peroxy compound as required by Claim 1.” He concludes that: “It would have been obvious to one of ordinary skill in the art at the time the invention was made to optimize the percentage of peroxy compound of Chang et al.” This statement is fatally flawed. The Examiner refers to the use of peroxide in Chang as an initiator to prepare polymers used in the Chang composition. It is clear that there are **no** peroxide compounds in the composition since the peroxide was used as an initiator for polymerization. Thus, Chang does not teach or suggest peroxide in the composition at all. The presence of 1 to 8 weight percent of peroxide as claimed in the present invention is not just an optimization over Chang, it is a separate presence of the peroxide compound separate from the polymer possibly present which may have been earlier prepared by an initiator such as a peroxide. One skill in the art clearly understands this from the reading of Chang. In view thereof, the Examiner’s rejection is inappropriate and should be withdrawn.

Claim 2 has been rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Williams (cited above). Although claim 2 has been cancelled, the pH limitation has been added to claim 1. In view thereof, this rejection is being addressed and respectfully traversed. The Examiner states: “It would have been obvious to one of ordinary skill in the art at the etime the invention was made to prepare a composition possessing the pH values of instant Claim 2”. This

statement is not supported by a reading of Williams. First of all, the oxidizing composition is in a separate container from the cleaning composition until applied by the manual spray method of Williams. More important, Williams states at the top of page 2 [0017]:

The pH of the combined cleaning composition and the oxidizing composition is sufficiently greater than 7 to activate the discharge of oxygen from the oxidizing solution for enhance cleaning of the carpet surface. Preferably, the pH of the combined cleaning composition and the oxidizing composition is greater than 8, and in a preferred embodiment of the invention is about 8.3

Williams thus clearly teaches away from the present composition containing the peroxide in one container at a pH range of 4-7. In view of the above, the rejection should be withdrawn.

The remaining peacemeal rejections of dependent claims using William, Chang or a combination thereof have been reviewed and it is respectfully requested that such rejections be withdrawn since they are not applicable in view of the above amendment and above remarks addressing both references.

In view of the above, it is respectfully submitted that all outstanding rejections should be withdrawn. The examiner is authorized to cancel the withdrawn claims without prejudice after favorable consideration of the pending claims.

It is respectfully submitted that the present claims are in condition for allowance; prompt passage to issue is earnestly solicited.

U.S. Patent Application Serial No. 10/815,277  
Amendment filed June 13, 2007  
Reply to Office Action of May 1, 2007

If the Examiner believes that a discussion would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300



By: Ronald A. Daignault, Esq.  
Reg. No. 25,968

Date: June 13, 2007

